

Message Text

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ACTION DLOS-09

INFO OCT-01 EUR-12 EA-10 IO-13 ISO-00 ACDA-12 AGRE-00
AID-05 CEA-01 CEQ-01 CG-00 CIAE-00 COME-00
DODE-00 DOTE-00 EB-08 EPA-01 SOE-02 DOE-15 FMC-01
TRSE-00 H-01 INR-10 INT-05 JUSE-00 L-03 NSAE-00
NSC-05 NSF-01 OES-07 OMB-01 PA-01 PM-05 SP-02
SS-15 ICA-11 /158 W
-----021062 231800Z /14

R 211319Z APR 78
FM USMISSION GENEVA
TO AMEMBASSY LONDON
INFO SECSTATE WASHDC 8713
AMEMBASSY BONN
AMEMBASSY BRUSSELS
AMEMBASSY COPENHAGEN
AMEMBASSY HELSINKI
AMEMBASSY MOSCOW
AMEMBASSY OSLO
AMEMBASSY PARIS
AMEMBASSY OTTAWA
AMEMBASSY ROME
AMEMBASSY STOCKHOLM
AMEMBASSY TOKYO

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PARIS ALSO FOR OECD
BRUSSELS ALSO FOR EC BRUSSELS
DEPT PASS TO US COAST GUARD

E.O. 11652: N/A
TAGS: PLOS, EWWT, PORG, IMCO, FR, UK

SUBJECT: US LOS PROPOSALS RE: PROTECTION OF THE MARINE
ENVIRONMENT
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REF: A. LONDON 6067
B. GENEVA 05657

SUMMARY: ITEMS ON IMCO AGENDA AS SET FORTH IN REFTL
APPEAR QUITE SATISFACTORY. OFFER OF ASSISTANCE ON LOS
ENVIRONMENTAL PROPOSALS APPRECIATED. BACKGROUND INFO

AND SPECIFIC PROPOSALS SENT BY COURIER TO AMEMBASSY
LONDON ATTN: CLAY BLACK. END SUMMARY.

1. THE ITEMS ON THE AGENDA OF THE AD HOC WORKING GROUP
APPEAR QUITE SATISFACTORY. ONE OF THE MAJOR GOALS OF
THE LOS DEL HAS BEEN TO BOLSTER THE ROLE (AND IMAGE) OF
IMCO, AS BEING RESPONSIVE TO GENUINE ENVIRONMENTAL CONCERNS,
AS A RESPONSIBLE WAY OF REDUCING LESS RESPONSIBLE UNILATERAL
ACTIONS BY COASTAL STATES.

2. OFFER OF ASSISTANCE IN REFTEL APPRECIATED. APPROACHES
TO HIGH LEVEL ENVIRONMENTAL OFFICIALS CONSIDERED APPRO-
PRIATE. AN ANNOTATED COPY OF THE US PROPOSALS REGARDING
ENVIRONMENTAL PROTECTION AS WELL AS DETAILED BACKGROUND
MATERIAL WAS HAND CARRIED TO THE US EMBASSY LONDON ATTN:
CLAY BLACK ON THURSDAY EVENING 20 APRIL 78. REFTEL B
INDICATED APPARENT LUARD OPPOSITION TO US PROPOSALS.

3. WHILE THE LINE IS SOMEWHAT FUZZY, THE LOS TREATY ON
VESSEL SOURCE POLLUTION MATTERS IS DESIGNED TO ACCOMPLISH
THE FOLLOWING:

A. ESTABLISH THE DUTIES OF STATES WITH RESPECT TO
VESSELS FLYING THEIR FLAG OR OF THEIR REGISTRY.

B. ESTABLISH THE RIGHTS OF STATES TO ESTABLISH LAWS
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AND REGULATIONS WITH RESPECT TO FOREIGN VESSELS
IN VARIOUS JURISDICTIONAL ZONES.

C. ESTABLISH THE RIGHTS OF STATES TO TAKE ENFORCE-
MENT ACTION AGAINST VESSELS IN VIOLATION OF APPLI-
CABLE INTERNATIONAL RULES AND STANDARDS AND NA-
TIONAL LAWS AND REGULATIONS IN THE VARIOUS
JURISDICTIONAL ZONES.

4. TO THE EXTENT THE ELABORATION OF INTERNATIONAL RULES
AND STANDARDS IS REQUIRED, THE FUNCTION BELONGS TO IMCO
NOT LOS. IN THIS REGARD, THE LOS POLLUTION ARTICLES ARE
REPLETE WITH REFERENCES TO "THE COMPETENT INTERNATIONAL
ORGANIZATION" I.E. IMCO.

5. THE US PROPOSALS AT LOS ARE BASICALLY LIMITED TO TWO
CATEGORIES:

A. THE RIGHT OF A COASTAL STATE TO ADOPT STANDARDS
HIGHER THAN INTERNATIONAL STANDARDS FOR FOREIGN
VESSELS IN INNOCENT PASSAGE IN THE TERRITORIAL SEA,
AND

B. THE RIGHT OF A COASTAL STATE TO ENFORCE INTERNATIONAL STANDARDS IN THE 200-MILE EXCLUSIVE ECONOMIC ZONE.

6. THE MATERIALS REFERRED TO IN PARAGRAPH 2 CONTAIN THE SPECIFIC US ENVIRONMENTAL PROPOSALS AND OUTLINE THE RELEVANT SUPPORTING ARGUMENTS. RICHARDSON

NOTE BY OC/T: TELEGRAM DELAYED IN TRANSMISSION.

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CONSERVATION, ENVIRONMENT
Control Number: n/a
Copy: SINGLE
Draft Date: 21 apr 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978GENEVA06074
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780173-0857
Format: TEL
From: GENEVA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780432/aaaabasn.tel
Line Count: 124
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 0722efa9-c288-dd11-92da-001cc4696bcc
Office: ACTION DLOS
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 78 LONDON 6067, 78 GENEVA 5657
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 05 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2895758
Secure: OPEN
Status: NATIVE
Subject: US LOS PROPOSALS RE: PROTECTION OF THE MARINE ENVIRONMENT LIMITED OFFICIAL USE
TAGS: PLOS, EWWT, PORG, SENV, FR, UK, IMCO
To: LONDON
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/0722efa9-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014